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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,994	03/10/2006	Masaru Miyamoto	450100-04736	3260

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Frommer Lawrence & Haug
745 Fifth Avenue
New York, NY 10151

EXAMINER

NATNAEL, PAULO S M

ART UNIT	PAPER NUMBER
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2622

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09/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/524,994	Applicant(s) MIYAMOTO, MASARU	
	Examiner PAULOS M. NATNAEL	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 and 12 is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☒ Claim(s) 9 and 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/18/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims **9-10, 13-16** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims **9,10,13 and 15**, while the specification discloses the pixel clock is divided by divider 51 into reference frequency signal and another divider 57 outputs a comparison frequency to the phase comparator 52, the claimed “the clock generating means generates a signal of a comparative frequency by dividing signal of given frequency generated based on a result of comparison of phase of a signal of reference frequency generated by dividing the second clock with the signal of comparative frequency”, is not clear whether or not the same signal generated by the clock generating means (which is the comparative frequency) is again generated by dividing the second clock with the signal of comparative frequency. In other words, it is not clear which signal is being generated by dividing the second clock, the reference frequency clock, the comparative frequency clock, or another, different clock, rendering the claims vague and indefinite.

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3. For the purpose of this rejection, the claimed signal generated by the clock generating means is assumed to be referring to the reference frequency, not the comparative frequency.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims **13** and **15** are rejected under 35 U.S.C. 102(e) as being anticipated by Wolf et al., U.S. Pat. No. 7,088,398.

Considering claim **13**, “Wolf et al. discloses a method and apparatus for regenerating a clock for auxiliary data transmitted over a serial link with video data and the claimed reception apparatus for receiving a first digital signal and a second digital signal, is met by the receiver as shown in Fig.16, comprising:

a) the claimed receiving means for receiving the first digital signal, the second digital signal, the frequency information related to a first clock, and a signal including a second clock, all of which transmitted from a transmission apparatus, is met by the receiver (Fig.16) that receives Pixel clock, CTS, and “N” signals.

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b) division ratio information generating means for generating division ratio information, which represents a division ratio, based on the frequency information extracted from the signals received by the receiving means, is met by receiver 139 which receives signals transmitted from the transmitter 138, Fig.15, comprising the signal "N" generated by the register 129. "N" is used as a ratio for dividing (by "divide by N" 137) the frequency signal feedback/output from VCO 136 as illustrated on Fig.16.

c) clock reproducing means for reproducing the first clock based on the second clock received by the receiving means and the division ratio information generated by the division ratio information generating means, is met by receiver as illustrated in Fig.16 comprising the PLL which in turn comprises the Divider 132 that receives the pixel clock (corresponding to second clock) and CTS and generates an output for the phase detector 134, LP loop Filter 135, VCO 136 and divide by N 137 which receives the ratio division signal N and output the a comparison signal for the phase detector 134, whose output corresponds to the claimed the first clock.

d) the clock generating means generates a signal of a comparative frequency by dividing a signal of given frequency generated based on a result of comparison of phase of a signal of reference frequency generated by dividing the second clock with the signal of comparative frequency.

Regarding d), see rejection of c).

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Claim **15** is a method claim of claim 13 and therefore claim 15 is rejected for the same reasons as in claim 13.

Allowable Subject Matter

6. Claims **11-12** are allowed.

7. Claim **9** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

8. Claim **10** would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose the following combination of limitations for a transmission apparatus for transmitting a first digital signal and a second digital signal, comprising: first signal processing means for processing a first signal and outputting the first digital signal based on the first clock generated by the clock generating means; second signal processing means for processing a second signal and outputting the second digital signal based on the second clock generated by the clock generating means, as in claims **11**; and, first signal processing step for processing a first signal and outputting the first digital signal based on the first clock generated by the clock generating step; second signal processing step for processing a second signal and

outputting the second digital signal based on the second clock generated by the clock generating step, as in claims **12**.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAULO M. NATNAEL whose telephone number is (571)272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh W. Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAULOS M. NATNAEL/

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Primary Examiner, Art Unit 2622

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